

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-10 are pending in this application. Claims 3 and 5-10 have been canceled by this reply. Claims 1 and 4 are independent. Claim 2 depends directly from claim 1.

Claim Amendments

Independent claims 1 and 4 have been amended to clarify the present invention as recited. Specifically, claim 1 has been amended to recite “wherein at least one cell displays one of a plurality of programs received from the broadcast center” and “wherein at least one cell is sensitive to the context of a cell displaying a program.” Support for these amendments may be found, for example, on page 3, paragraph 8, page 22, paragraph 69, and page 23, paragraph 72 of the specification. It is believed that the amendments to the claims raise no new issues for consideration by the Examiner.

Rejection(s) under 35 U.S.C § 102

Claims 1-10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,268,849 (“Boyer”). Claims 3 and 5-10 have been canceled by this reply. Thus, this rejection is now moot with respect to claims 3 and 5-10. Independent claims 1 and 4 have been amended to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The claimed invention relates to a portal for a broadcast digital television system that includes a terminal connected to a broadcast center (*See* Specification, page 1, paragraph 2). The portal includes a display for displaying a number of cells, each with a visual object and an

underlying application. The portal also includes a user input device to select one of the cells (*See* Specification, page 3, paragraph 7). The portal is generated, including cells containing current video of at least some of the received programs, and organized based on their characteristics. The cells are dynamically reorganized when the monitored characteristics change (*See* Specification page 3, paragraph 8). In one embodiment of the invention, at least one of the cells is context sensitive to a cell displaying a program. Thus, the claimed invention allows for a user to manipulate one cell based on the *context* of a program broadcast on another cell. For example, the present invention enables offering the purchase of a book talked about live in another cell (*See* Specification page 23, paragraph 71).

In contrast to the claimed invention, Boyer teaches an Internet television program guide system that allows a user to access television program listings with embedded real-time data (*See* Boyer, Abstract). The system of Boyer gathers information for the listings that are sent to the user's multimedia system (76 in Figure 1 of Boyer). Real-time data may include video stills, video clips, audio clips, and textual information (*See* Boyer, Abstract).

With respect to the claimed invention, Boyer fails to disclose each and every limitation of amended independent claim 1. Specifically, Boyer fails to disclose that the portal is for a broadcast digital television system. Rather, the portal in Boyer is connected to the Internet (*See* Boyer, Abstract), which has completely different characteristics with respect to bandwidth, transmission, etc. Boyer relates completely to providing a user with television program listing and embedded real-time information via an Internet communications link (*See* Boyer, Abstract) and is completely silent regarding a broadcast digital television system. Further, Boyer does not disclose that at least one cell receives a plurality of programs from a broadcast center. Rather, Boyer discloses that a program information box (636 in Figure 9) and a closer look icon (638 in Figure 9) display real-time data, such as the score of a sporting event or the half-time program of a sporting event (*See* Boyer, col. 10, ll. 4-32). However, real-time data is not equivalent to an actual program. Rather, real-time data is simply information relating to a particular program, and not the program itself. The data server maintains a television program *listings* database; however, the data server does not maintain

the television programs themselves (*See Boyer*, col. 4, ll. 12-13). Boyer is also completely silent to the main facility receiving such programs. Thus, it is clear that Boyer fails to disclose that at least one cell receives a plurality of *programs* from a broadcast center.

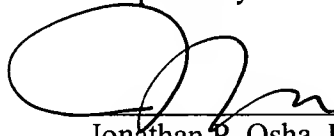
Additionally, Boyer fails to disclose that a cell is sensitive to the context of a cell that displays a program. Instead, Boyer discloses that a cell may be used to allow the user to receive additional static or dynamic information regarding a program. For example, Boyer discloses that a closer look icon may be clicked on by the user, which provides a program information page (700 in Figure 10) in addition to the information provided by the program information box (*See Boyer*, col. 10, ll. 12-14). However, both the closer look icon and the program information box provide information regarding the same selected program. Boyer discloses no capability of any cell being able to provide information based on the context of a cell displaying a program.

In view of the above, it is clear that Boyer fails to disclose or suggest all of the elements required by amended independent claim 1. Thus, amended claim 1 is patentable over Boyer. Further, dependent claim 2 is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested. Further, amended independent claim 4 includes similar allowable subject matter (*e.g.*, “receiving a plurality of broadcast programs” and “at least one further cell associated with an application whose function is dependent on the context of a cell containing live video,” *i.e.*, is context sensitive). Thus, claim 4 is also patentable over Boyer for similar reasons as amended independent claim 1.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/032002).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jonathan P. Osha', is written over a horizontal line.

Jonathan P. Osha, Reg. No. 33,986
OSHA & MAY L.L.P.
1221 McKinney Street, Suite 2800
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778

Date: January 31, 2005